

Looking Ahead - 2020 Federal Health Policy Outlook

Darby O'Donnell, JD
Alliance for Patient Access (AfPA) Government Affairs Team

The Alliance for Patient Access (allianceforpatientaccess.org), founded in 2006, is a national network of physicians dedicated to ensuring patient access to approved therapies and appropriate clinical care. AfPA accomplishes this mission by recruiting, training and mobilizing policy-minded physicians to be effective advocates for patient access. AfPA is organized as a non-profit 501(c)(4) corporation and headed by an independent board of directors. Its physician leadership is supported by policy advocacy management and public affairs consultants. In 2012, AfPA established the Institute for Patient Access (IfPA), a related 501(c)(3) non-profit corporation. In keeping with its mission to promote a better understanding of the benefits of the physician-patient relationship in the provision of quality healthcare, IfPA sponsors policy research and educational programming.



Controlling the Cost of Medicines

As Congress nears the end of the calendar year, drug pricing legislation aimed at lowering costs seems to be the health legislation "flavor of the month," as it has been for a good portion of the last MANY months. U.S. House Speaker Nancy Pelosi is charging ahead with her legislation with broad Democratic support in the House, but with little to no chance of passage in the Republican-controlled Senate. In the Senate, Chairman Charles Grassley and Ranking Member Ron Wyden have a competing bill. This is also struggling to find sufficient support.

As Politico put it recently, "Most Republicans have long opposed federal intervention when it comes to the cost of prescription drugs, but public support for action as well as [President Donald] Trump's embrace of the issue may be shifting the party's stance."

Expect more of the drug-pricing debate in 2020.

Surprise Medical Billing

So-called "surprise" billing - high medical costs received by an insured patient for care provided by an out-of-network provider - has also been a hot button issue, and in recent months has stalled

in Congress over proposals on payment rates to resolve out-of-network service disputes. "Lawmakers and the health industry all agree that insured patients should not get slapped with hefty bills for inadvertently seeking out-of-network care. However, how exactly to resolve payment disputes between plans and providers has been contentious," read Politico. As of this writing, compromise legislation has been reached and should see action before the end of the year. However, The Hill reports that some doctor and hospital lobbies are ramping up their opposition to the legislation in the closing weeks of the calendar year.

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Focus on Children's Health and Healthcare

At the American Academy of Pediatrics's (AAP) 2019 National Conference and Exhibition this fall, many new policy challenges in children's health were mentioned, including:

- the return of measles as a threat to public health;
- the emergence of lung illness related to vaping;
- decreasing numbers of children with healthcare coverage;
- increasing numbers of child deaths from firearms.

As we have outlined previously, vaccinations and vaping products are political hot potatoes that will likely continue to permeate the children's health debate in the new year and will likely remain divisive. Congress will continue efforts to protect and improve maternal and infant healthcare with a focus on disparate outcomes.

Democratic Primary Contest

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The new year is also an election year - and a presidential election year at that.

Democratic presidential candidates are contemplating (and trying to distinguish their own political goals from their Democratic primary opponents) reforms and varying degrees of an overhaul of the U.S. health care system. Their demonstration of original ideas and health policy chops are also a means to tell the American public why they would be the best choice to lead.

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Many have supported a government-run, i.e., single-payer system, as the solution. Others in the race have shied away from calling the move to a single-payer a slam dunk and believe a slow progression to eliminate private insurance is the answer.

A comprehensive, helpful discussion of where the dozen-plus Democratic presidential candidates stand may be found in a recent Washington Post article. <https://www.washingtonpost.com/graphics/politics/policy-2020/medicare-for-all/>

The 2020 presidential debates, as in election years past, can be a key barometer of health policy attitudes in America.

Change in the Trump Administration

President Donald Trump nominated Stephen Hahn, a radiation oncologist at a large research center in Houston, Texas, to replace acting FDA Commissioner Ned Sharpless to lead the Food and Drug Administration (FDA). The previous FDA commissioner, Scott Gottlieb, M.D., stepped down from the Administration earlier this year. Dr. Hahn awaits a full Senate confirmation vote, but last month cleared two, essential hurdles in the confirmation process - he received a Senate confirmation hearing, followed by a positive vote to move forward his nomination by the Senate Committee on Health, Education, Labor, and Pensions (HELP).

Dr. Hahn, based on the discussion at his confirmation hearing, would face policy challenges (and potential decisions in the next year) as FDA's new commissioner related to flavored e-cigarette bans and children, a regulatory framework for CBD, and food safety & labeling issues.

All three branches of government will have the power to influence or delay major health care decision-making in 2020. The presidential election and political turn-over in Congress that may result from an election cycle are key pieces to who sets health policy in the next decade, beyond the upcoming calendar year

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Corresponding Author



Darby O'Donnell, JD
Alliance for Patient Access (AfPA) Government Affairs Team
1275 Pennsylvania Ave. NW, Suite 1100A Washington, DC
20004-2417
202-499-4114
info@allianceforpatientaccess.org

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